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EXAMINER

WHIPKEY, JASON T

ART UNIT	PAPER NUMBER
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2612

14

DATE MAILED: 02/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/182,875

Applicant(s)

HYODO ET AL.

Examiner

Jason T. Whipkey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 1998 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed December 4, 2003, have been fully considered but they are not persuasive.

Regarding independent claims 1, 6, and 19, Applicant argues on page 16, lines 21-25, that "Zamir fails to teach storing principal subject positional information representing the position of the determined principal subject in the captured image." As stated in the previous Office action, the system uses the highlights drawn by the user to locate the actual contour of the subject, wherein the contour is stored. The Office action cites column 7, lines 39-41, which states that "there is also included a file writer storing the region and the edges in a file." The "edges", as defined in column 3, lines 54-56, are found using the region selected by the user.

In response to Applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

In this case, both Nishimura and Zamir are drawn to devices that locate a designated contour in an image. It is well known that storing information allows the information to be retrieved at a later time. As stated in the Office action, an advantage to storing a selected contour

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is that the contour may be retrieved at a later time, thus permitting additional processing to be performed in the future. Examples of such processing are disclosed by Zamir. Ergo, there is a suggestion to combine the Nishimura and Zamir references.

### ***Claim Objections***

2. Claim 29 is objected to as failing to comply with 37 C.F.R. § 1.75(a) for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 29 recites the limitation “the designated image” on lines 2-3. There is insufficient antecedent basis for this limitation in the claim. For examination purposes, the claim will be treated as if it reads, “the captured image”.

### ***Claim Rejections - 35 U.S.C. § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. § 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 30-33 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claims 30-33 recite the limitation "the exposure value". There is insufficient antecedent basis for this limitation in the claim, as one cannot ascertain what "the exposure value" is.

***Claim Rejections - 35 U.S.C. § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. § 103(c) and potential 35 U.S.C. §§ 102(e), (f) or (g) prior art under 35 U.S.C. § 103(a).

7. Claims 1-3, 5-8, 11, 12, 19-21, and 24-29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishimura (U.S. Patent No. 5,412,487) in view of Suzuki (Japanese Patent Application Publication No. 09-116792) and further in view of Zamir (U.S. Patent No. 6,300,955).

Regarding claims 1, 6, and 19, Nishimura discloses a video camera capable of extracting an object. As shown in figures 1 and 18, the camera includes imaging pickup device 1, lens 7

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("an imaging optical system"), and electronic viewfinder 117 ("a display part"). The operator frames the subject so that the marker shown in the viewfinder of Figure 2 is placed on the subject, at which point the operator presses switch 121 (column 5, lines 31-42). Extractor circuit 3 ("a principal subject determining device") extracts the designated object from the signal captured by imaging pickup device 1 and presents it to the operator for verification, as shown in Figure 4A (column 5, lines 54-67; column 6, lines 20-35). As shown in Figure 17, the captured video signal may be recorded on recording medium 902 as instructed by recording circuit 900 ("a recording instruction device") (column 14, lines 46-61).

Nishimura is silent with regard to using a touch panel over a display part to enable an operator to select the principal subject.

Suzuki<sup>1</sup> discloses a video camera, as shown in Drawing 1. The camera includes a display device 6, which displays the captured image, and a touch panel 7 covering it (page 5, lines 42-46). Input position detector 24 ("a positional information acquiring device") determines the position of the touched portion of touch panel 7 (page 5, lines 18-22). As shown in Drawing 2, points  $P_1$  and  $P_2$  may be touched to designate an image area (page 6, lines 21-23).

When using a touch panel positioned over a display screen, a user may directly choose an area in a live image with his or her finger as opposed to using an indirect method of selection, such as moving the camera or using a joystick. This is advantageous because a more precise area may be defined by the user. For this reason, it would have been obvious at the time of invention to have Nishimura's camera include a touch panel positioned over a display screen.

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<sup>1</sup> All citations of Suzuki made henceforth will correspond to the computer translation provided by the Office and not the original published Japanese application.

Nishimura is silent with regard to recording the position of the principal subject on the recording medium.

Zamir discloses a method for generating a mask for an image. Using an input device (column 6, lines 11-17), the operator highlights the area around a subject (column 3, lines 32-36). The system adjusts the highlights to more closely match the contours of the subject (column 3, lines 32-36). The coordinates of the final highlighted area are stored for later use (column 3, lines 37-45) using some sort of file writer (column 7, lines 39-41).

An advantage to storing references to a selected area in an image is that it is unnecessary for a user to later re-designate the area when further image processing is performed at a later time. Additionally, storing the references does not require the original image to be modified. For these reasons, it would have been obvious at the time of invention to have Nishimura's camera store the coordinates of subjects defined by the operator.

Regarding claims 2 and 7, Nishimura teaches that the extracted portion of the video signal may be used to control exposure (column 16, lines 30-34).

Regarding claims 3 and 8, Nishimura teaches that the extracted portion of the video signal may be used to control focusing (column 16, lines 26-29).

Regarding claims 5 and 11, Zamir discloses that the system requires the user to designate a closed curve using the input device in order to begin the mask-generating process (column 9, lines 47-52). Since the process cannot begin without a closed curve, it is inherent that Zamir's system includes a frame detector. As shown in Figure 2, the system displays the highlighting on the screen.

Regarding claim 12, Nishimura shows in Figure 16 that an image ("a template image") previously stored in a memory of a mixing circuit 803 ("a template image storage part") may be used as a background image for an image extracted from the image captured by image pickup device 1 ("the captured image") (column 14, lines 33-45). Mixing circuit 803 ("an image composition processor") combines the two images.

Regarding claim 20, Suzuki shows in Drawing 2 that points  $P_1$  and  $P_2$  may be selected by a user and to designate an image area (page 6, lines 21-23). Additionally, Zamir shows in Figure 2 that highlights may be placed wherever necessary to enclose a subject.

Regarding claim 21, Nishimura is silent with regard to placing a release and/or shutter button on the display.

Suzuki teaches that an execution button SW is shown on the display under touch panel 7 to execute an image capture operation (page 6, lines 24-29). The menus shown on the screen for use in conjunction with touch panel 7 include zoom buttons (page 6, lines 1-5).

An advantage to using a touch screen to initiate recording is that it simplifies the user interface, allowing for the elimination of buttons when their presence is illogical or unavailable. For this reason, it would have been obvious at the time of invention to have the camera described by Nishimura include zoom and shutter buttons on the display for use in accordance with a touch panel.

Regarding claims 24-27, Nishimura teaches that an area adjacent to a main object that has a range of luminance and hues near that of the main object can be accepted as part of the main object (column 8, line 54, through column 9, line 3).



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Regarding claim 28, it is inherent (and logical) that if a determined touched portion is the principal subject, the lower right, lower left, upper right, and upper left areas of the touched portion — and all other areas of the touched portion — are the principal subject.

Regarding claim 29, Zamir teaches that the position information about a principal subject is stored in a file after it is identified, as described in the rejection of claim 1. However, both Zamir and Nishimura are silent with regard to storing a captured image after a principal subject is identified.

Official Notice is taken that images and their associated attributes are frequently stored in a shared file. An advantage to doing so is that files may be manipulated easily by a user without losing relevant data. For this reason, it would have been obvious at the time of invention to have Nishimura's system store image data and principal subject data after a principal subject is identified.

8. Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishimura (U.S. Patent No. 5,412,487) in view of Suzuki (Japanese Patent Application Publication No. 09-116792) and further in view of Zamir (U.S. Patent No. 6,300,955) and Maurinus (U.S. Patent No. 6,222,646).

Claim 4 may be treated like claim 1. However, Nishimura, Suzuki, and Zamir are all silent with regard to using a touch panel to request recording of a captured image.

Maurinus discloses an electronic photography system. When a captured image is displayed to a user on a touch screen CRT 58, the user may manipulate and select an image to be recorded on a magnetic or optical digital storage medium (column 3, lines 35-45).

The advantage to using a touch screen to initiate recording is that it simplifies the user interface, allowing for the elimination of a shutter button. For this reason, it would have been obvious for the systems described by Nishimura, Suzuki, and Zamir to record a captured image on a recording medium using a touch screen.

9. Claims 9, 13, and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishimura (U.S. Patent No. 5,412,487) in view of Suzuki (Japanese Patent Application Publication No. 09-116792) and further in view of Zamir (U.S. Patent No. 6,300,955) and Shiota (U.S. Patent No. 6,011,547).

Regarding claims 9 and 16, Nishimura discloses a camera as described in the rejection of claim 1. However, Nishimura is silent with regard to using a display with an image processor for correcting image tone.

Shiota discloses an image reproduction system. Images captured by digital camera 1 are transferred via image server 2 to image reproducing apparatus 3. The recorded information accompanying the images may include a designation of the main subject of the image (column 5, lines 1-7). Image reproducing apparatus 3 has a set-up processing unit 11, which processes the image according to the recorded information accompanying the images (column 5, lines 50-54). This processing may include tone or color correction, as defined on lines 46-50 of column 2. The final image is displayed on display interface 13.

An advantage to having a display process color tone correction is that the colors may be corrected based on the display's color reproduction characteristics, resulting in a better-adjusted

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display image. For this reason, it would have been obvious to have the camera described by Nishimura perform color correction in a connected display rather than in the camera.

Regarding claim 13, Nishimura discloses a camera as described in the rejection of claim 1. However, Nishimura is silent with regard to using a printer with an image processor for correcting image tone.

Shiota discloses an image reproduction system. Images captured by digital camera 1 are transferred via image server 2 to image reproducing apparatus 3. The recorded information accompanying the images may include a designation of the main subject of the image (column 5, lines 1-7). Image reproducing apparatus 3 has a set-up processing unit 11, which processes the image according to the recorded information accompanying the images (column 5, lines 50-54). This processing may include tone or color correction, as defined on lines 46-50 of column 2. The final image is printed on printer 12.

An advantage to having a printer process color tone correction is that the colors may be corrected based on the printer's known ink attributes, resulting in a better-adjusted print. For this reason, it would have been obvious to have the camera described by Nishimura perform color correction in a connected printer rather than in the camera.

10. Claims 10 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishimura (U.S. Patent No. 5,412,487) in view of Suzuki (Japanese Patent Application Publication No. 09-116792) and further in view of Zamir (U.S. Patent No. 6,300,955) and Hirose (U.S. Patent No. 5,838,371).

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Claims 10 and 18 may be treated like claims 6 and 1, respectively. Additionally, Nishimura teaches that zooming may be performed based on the extracted portion of the video signal (column 16, lines 35-38). However, Nishimura is silent with regard to reducing an image about a reference point.

Hirose discloses a camera with variable zoom magnification. A captured image stored in field memory 25 ("a recording medium") may be reduced in addition to being enlarged (column 5, lines 15-21). Since a reduced image is comprised of the entire subject presented in an original image plus empty space surrounding it, it is inherent that image reduction occurs about *any and all* reference points in a captured image.

An advantage to performing image reduction is that two images may be combined with one inset in the other, which increases the creative flexibility available to a user. For this reason, it would have been obvious at the time of invention to have Nishimura's camera perform image reduction on its display.

11. Claims 14 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishimura (U.S. Patent No. 5,412,487) in view of Suzuki (Japanese Patent Application Publication No. 09-116792) and further in view of Zamir (U.S. Patent No. 6,300,955), Shiota (U.S. Patent No. 6,011,547), and Nagasaki (U.S. Patent No. 6,317,156).

Claim 14 may be treated like claim 13. However, Nishimura and Shiota are silent with regard to using a printer than can reduce and enlarge an image about a reference point.

Nagasaki discloses a printer and camera combination. As shown in Figure 16, the camera enlarges an area around a specific point of a source image 85 to produce an enlarged print 86. CPU 101 performs image processing and zooming (column 8, lines 18-26).

Nagasaki is silent with regard to performing an image reduction operation before printing. However, an advantage to performing a reduction operation is that an image may be produced that meets the size needs of a user. For this reason, it would have been obvious to have Nagasaki's printer reduce an image.

The advantage to having a printer print a reduced or enlarged image around a reference point the user can ensure the subject of an image remains in a print that is resized to meet his or her needs. For this reason, it would have been obvious to have Shiota's printer use its supplied main-subject designation to create a reduced or enlarged print.

Regarding claim 15, Nishimura discloses a camera as described in the rejection of claim 1. However, both Nishimura and Shiota are silent with regard to using a printer with an image processor for expanding and reducing the supplied image.

Shiota discloses an image reproduction system. Images captured by digital camera 1 are transferred via image server 2 to image reproducing apparatus 3. The recorded information accompanying the images may include a designation of the main subject of the image (column 5, lines 1-7). Image reproducing apparatus 3 has a set-up processing unit 11, which processes the image according to the recorded information accompanying the images (column 5, lines 50-54). The final image is printed on printer 12.

An advantage to having a printer perform image processing is that the processor will better adjust the image to match the attributes of the printer. For this reason, it would have been obvious to have Nishimura's camera process images to be printed in the printer.

Nishimura and Shiota are all silent with regard to printing an expanded or reduced image.

Nagasaki discloses a printer and camera combination. As shown in Figure 16, the camera enlarges an area around a specific point from a source image 85 to produce an enlarged print 86. CPU 101 performs image processing and zooming (column 8, lines 18-26).

Nagasaki is silent with regard to performing an image reduction operation before printing. However, an advantage to performing a reduction operation is that an image may be produced that meets the size needs of a user. For this reason, it would have been obvious to have Nagasaki's printer reduce an image.

The advantage to having a printer print a reduced or enlarged image around a reference point the user can ensure the subject of an image remains in a print that is resized to meet his or her needs. For this reason, it would have been obvious to have Shiota's printer use its supplied main-subject designation to create a reduced or enlarged print.

12. Claim 17 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishimura (U.S. Patent No. 5,412,487) in view of Suzuki (Japanese Patent Application Publication No. 09-116792) and further in view of Zamir (U.S. Patent No. 6,300,955), Shiota (U.S. Patent No. 6,011,547), and Hirose (U.S. Patent No. 5,838,371).

Claim 17 may be treated like claim 16. Additionally, Nishimura teaches that zooming may be performed based on the extracted portion of the video signal (column 16, lines 35-38).

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However, Nishimura and Shiota are silent with regard to reducing an image about a reference point.

Hirose discloses a camera with variable zoom magnification. A captured image may be reduced in addition to being enlarged (column 5, lines 15-21). Since a reduced image is comprised of the entire subject presented in an original image plus empty space surrounding it, it is inherent that image reduction occurs about *any and all* reference points in a captured image.

An advantage to performing image reduction is that two images may be combined with one inset in the other, which increases the creative flexibility available to a user. For this reason, it would have been obvious at the time of invention to have Nishimura's camera perform image reduction on its display.

13. Claims 22 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishimura (U.S. Patent No. 5,412,487) in view of Suzuki (Japanese Patent Application Publication No. 09-116792) and further in view of Zamir (U.S. Patent No. 6,300,955) and Yamamoto (U.S. Patent No. 6,040,825).

Claim 22 may be treated like claim 1. However, Suzuki is silent with regard to having the touched area (of the two defined areas) used as the principal subject.

Yamamoto discloses, as shown in Figure 2, a touch panel 5 used with image input means 2, such as an optical sensor (column 8, lines 11-19). A user may select one of a plurality of image areas by touching the center portion of the image area (column 16, lines 25-27 and 62-66).

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An advantage to selecting an image area by touching the center portion of the image is that an operator need not be precise about touching a specific point. This increases ease of use. For this reason, it would have been obvious at the time of invention to have Suzuki's touch panel be capable of selecting an image area by touching the center of the area.

Claim 23 may be treated like claim 1. However, Suzuki is silent with regard to having the touched area (of the two defined areas) and surrounding area used as the principal subject.

Yamamoto discloses, as shown in Figure 2, a touch panel 5 used with image input means 2, such as an optical sensor (column 8, lines 11-19). A user may select one of a plurality of image areas by touching the center portion of the image area (column 16, lines 25-27 and 62-66). As shown in Figure 10, image areas are defined according to a set boundary.

An advantage to selecting an image area by touching the center portion of the image is that an operator need not be precise about touching a specific point. This increases ease of use. For this reason, it would have been obvious at the time of invention to have Suzuki's touch panel be capable of selecting an image area and its surroundings by touching the center of the area.

14. Claims 30 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishimura (U.S. Patent No. 5,412,487) in view of Suzuki (Japanese Patent Application Publication No. 09-116792) and further in view of Zamir (U.S. Patent No. 6,300,955) and Takagi (U.S. Patent No. 5,319,416).

Claims 30 and 31 may be treated like claims 1 and 29, respectively. However, Nishimura is silent with regard to averaging photometry values determined with respect to each of a plurality of subject areas in order to produce an exposure value.



Takagi discloses an exposure calculation device for a camera. A photometry value  $E(n)$  is calculated for each of the plurality of areas 11a-11h to shown in Figure 3 (column 3, lines 43-47). An exposure value for the entire imaging area is calculated by exposure calculation means 104 by averaging the photometry values of certain photometric areas (column 12, lines 3-25).

As stated in column 15, lines 37-45, an advantage to calculating the average photometry value of certain areas of an image to determine an exposure amount is that a variety of lighting conditions may be corrected for, including backlighting. For this reason, it would have been obvious at the time of invention to have Nishimura's system average the photometry values of certain areas in order to determine an exposure amount.

15. Claims 32 and 33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishimura (U.S. Patent No. 5,412,487) in view of Suzuki (Japanese Patent Application Publication No. 09-116792) and further in view of Zamir (U.S. Patent No. 6,300,955) and Omata (U.S. Patent No. 6,067,114).

Claims 32 and 33 may be treated like claims 1 and 29, respectively. However, Nishimura is silent with regard to increasing a weight associated with a plurality of principal subjects while decreasing a weight associated with other areas in calculating an exposure value.

Omata discloses a system for measuring the composition of an image. An image may be divided into a plurality of subdivisions, wherein more than one subdivision may comprise a main object (column 1, lines 50-58, and column 2, lines 12-15). A common, maximum weight may be assigned to subdivisions of maximum importance, while lesser weights may be assigned to other

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subdivisions (column 6, lines 13-24). The weightings are used to calculate an appropriate exposure amount (column 2, lines 3-6).

As stated in column 7, lines 16-23, an advantage to applying a greater weight to a plurality of main objects is that appropriate focus and exposure may be maintained for a main object even as the composition of an image changes. For this reason, it would have been obvious at the time of invention to have Nishimura's system apply a greater weight to a plurality of principal subjects in order to calculate an exposure value.

### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

17. Applicant's amendment necessitated the new ground of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 C.F.R. § 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

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will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason T. Whipkey, whose telephone number is (703) 305-1819. The examiner can normally be reached Monday through Friday from 8:30 A.M. to 6:00 P.M. eastern standard time, alternating Fridays off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber, can be reached on (703) 305-4929. The fax phone number for the organization where this application is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 2600 Customer Service Office, whose telephone number is (703) 306-0377.

JTW

JTW

February 12, 2004

  
WENDY R. GARBER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600